

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AMERICAN CIVIL LIBERTIES UNION,)	
<i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No.
)	98-CV-5591
ALBERTO R. GONZALES, in his official)	
capacity as Attorney General of)	
the United States,)	
)	
Defendant.)	

**DEFENDANT’S MOTION FOR LEAVE OF COURT TO DESIGNATE
DR. DAVID FINKELHOR AS AN EXPERT FOR DEFENDANT**

Defendant, Attorney General Alberto R. Gonzales, by undersigned counsel and pursuant to Local Rule 7.1, hereby moves the Court for an Order allowing him to designate Dr. David Finkelhor to testify as an expert for defendant concerning a report – Online Victimization of Youth: Five Years Later.¹ For the reasons contained in the accompanying concise statement of points and authorities, this motion should be granted.² Attached is a proposed Order.

Dated: September 12, 2006

Respectfully Submitted,

PETER D. KEISLER
Assistant Attorney General

PATRICK L. MEEHAN
United States Attorney

¹Dr. Finkelhor is the principal author of the expert report.

²Defendant respectfully requests the Court to expedite its consideration of this motion, and to direct plaintiffs to file a response, if any, no later than Friday, September 15, 2006.

RICHARD BERNSTEIN
Assistant U.S. Attorney

THEODORE C. HIRT
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/s/ Kenneth E. Sealls

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Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on September 12, 2006, I caused a copy of Defendant's Motion for Leave of Court to Designate Dr. David Finkelhor as an Expert for Defendant and the accompanying Concise Statement of Points and Authorities to be filed electronically via the Court's ECF system, through which a notice of the filing will be sent to:

Aden Fine
American Civil Liberties Union Foundation
125 Broad Street
New York, NY 10004

Attorney for Plaintiffs

/s/ Kenneth E. Sealls
KENNETH E. SEALLS